

Appln No. 10/625,834

Amdt date February 22, 2005

Reply to Office action of October 21, 2004

REMARKS/ARGUMENTS

The foregoing amendments and the following remarks are submitted in response to the Office action of October 21, 2004. Claims 1-3, 8-12, 18-30, and 34 are amended. Claims 35-56 have been added. Claims 1-56 are currently pending in the application. The Specification has been amended to correct several typographical errors. The claims have been amended to delete the "surface-based" and "plurality of craft" limitations, as these limitations are unnecessary for patentability. The claims have been further amended to change "image" to "imaging information" or "imaging dataset," to more accurately specify the scope of information generated, and because the previous limitation is unnecessary for patentability. No new matter has been added.

On page 2 of the Office action, claims 28-34 are objected to as claim 28 included a typographical error (i.e., "planer" instead of "planner"). Applicant has amended claim 28 to correct the typographical error, and therefore requests that the objection to claim 28 and its dependent claims 29-34 be withdrawn. Applicant has also corrected claim 30 to depend from claim 28, as suggested by the Examiner.

On pages 2-3, claims 1, 2, 10, 11, 19, 20, 28, and 29 are rejected as anticipated by Christian. The Examiner has indicated that claims 4-8, 13-17, 22-26 and 31-33 would be allowable because, among other reasons, neither Christian nor Song, nor any motivated combination of the two, teaches or suggests a tracking and command system/method which is airborne. Applicant has amended independent claims 1, 10, 19, and 28 to

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recite a tracking and command system that is afloat, which Applicant respectfully submits is not taught or suggested by the cited references. Although the tracking and command system that is afloat can be airborne, it can also be spaceborne, etc., as shown, for example, in FIG. 1b and disclosed on, for example, p. 14 lines 9-16. Because none of the cited references teach or suggest at least a tracking and command system that is afloat, Applicant respectfully requests that the rejection to claims 1, 10, 19, and 28, and their dependent claims be withdrawn. New claims 35-37 are similar to claims 4, 5, and 8, but depend from claim 28. Applicant respectfully request that these new claims are patentable for at least the same reasons as discussed above regarding claim 28.

On page 4 of the Office action, claims 3, 9, 12, 18, 21, 27, 30 and 34 are rejected as obvious over Christian in light of Song. Applicant respectfully traverses this rejection. As discussed above, Christian does not teach or suggest a tracking and command system that is afloat, such as an airborne or satellite-bound system, or the like. Song fails to cure this deficiency. For at least this reason, Applicant respectfully requests that the obviousness rejections to claims 3, 9, 12, 18, 21, 27, 30 and 34 be withdrawn.

New claims 40, 43, 44, and 47 are similar to claims 1, 10, 19, and 28, but recite that the tracking and command system is mobile, as is shown in, for example, Figures 1a-3. As neither Christian nor Song teach or suggest a mobile tracking and command system, Applicant respectfully requests that these claims be allowed.

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New claims 38-39, 41-42, and 45-46 are similar to original claims 1, 10, and 28, but further include a second imaging device or step. This multi-tiered system is shown in Figs. 1b and 2, and is discussed in the Specification on, for example, pages 11-13. As neither of the cited references teach or suggest such a second imaging device or a second tracking and command system, Applicant respectfully requests these claims be allowed.

New claims 48-56 are directed to the tiered information acquisition and processing method disclosed, for example, on pages 10-13 and Figs. 1a and 2. As none of the cited references teach or suggest the multi-tiered sensing acquisition and processing method as claimed, Applicant respectfully requests that claims 48-56 be allowed.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is now in condition for allowance. Reconsideration and allowance is hereby requested. If the Examiner does not agree that all claims are in proper form for allowance, Applicant requests that he contact the undersigned to discuss any remaining issues before submitting any final rejections.

Respectfully submitted,
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